IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO.185 OF 2007
IN
COMPANY PETITION NO.786 OF 1987

Sahakari Sansthan Ltd. ..Petitioner.

And

Shri Nagesh Govind Kamat(HUF) ..Applicant

And

The Official Liquidator, High Court, Bombay. ..Respondent.

Mr.K.G.S.Tripathi i/b. M/s.J.R.Vakil & Assoc. for applicant.

Mr.S.Ramakantha, Dy. O.L.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 5, 2007.

P.C. :

1. As Counsel for the Applicant in all fairness submits that prayer clause (b) cannot be granted by this Court, the only question that remains is in the context of prayer clause (a). By that prayer applicant seeks leave from this Court to enable him to proceed with the execution application, to be filed before the Execution Court for the execution of the Decree passed dated 15th February, 2006. I see no impediment in accepting this request.

2. Accordingly, Applicant is granted leave to execute the Decree dated 15th February, 2006 in R.A.E & R.Suit No.240/679 of 1987, which will be decided on its own merits in accordance with the law.

3. Application disposed of on the above terms.

(A.M.KHANWILKAR,J)